

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

|                                  |   |                  |
|----------------------------------|---|------------------|
| <b>UNITED STATES OF AMERICA,</b> | ) |                  |
|                                  | ) | <b>8:12CR243</b> |
| <b>Plaintiff,</b>                | ) |                  |
|                                  | ) |                  |
| <b>vs.</b>                       | ) | <b>ORDER</b>     |
|                                  | ) |                  |
| <b>AARON J. CLARK,</b>           | ) |                  |
|                                  | ) |                  |
| <b>Defendant.</b>                | ) |                  |

This matter is before the court on the motion of Alan G. Stoler to withdraw as counsel for the defendant, Aaron J. Clark (Clark) (Filing No. 40). The court held a hearing on the motion on April 24, 2013. The court determined Mr. Stoler had a conflict of interest as he would be called as a witness in the case. Mr. Stoler's motion to withdraw was granted. The court further determined Clark is eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska.

**IT IS ORDERED:**

1. Mr. Stoler's motion to withdraw (Filing No. 40) is granted.
2. The Federal Public Defender for the District of Nebraska is appointed to represent Clark for the balance of these proceedings. In the event that the Federal Public Defender accepts this appointment, the Federal Public Defender shall forthwith file a written appearance in this matter. In the event the Federal Public Defender should decline this appointment for reason of conflict or on the basis of the Criminal Justice Act Plan, the Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.
3. Mr. Stoler shall forthwith provide the Federal Public Defender with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Stoler which are material to Clark's defense.

DATED this 24th day of April, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge